REMARKS

Reconsideration of the present application is respectfully requested. In this amendment, claims 1, 16 and 25 have been amended. No new matter has been added.

Claims 1-3, 5, 6, 8, 9, 16-18, 20, 21, 23-27, 29, 30, 32 and 33 stand rejected under 35 U.S.C. § 102(b) based on U.S. Patent no. 6,094,587 of Armanto et al. ("Armanto"). Claims 4, 19 and 28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Armanto in view of U.S. Patent no. 6,697,484 of Fleming ("Fleming"). Applicant respectfully traverses the rejection, for the reasons which follow.

The present invention allows a mobile device to respond to the occurrence of a voice call (either an incoming call or an outgoing call) by automatically obtaining data associated with a telephone number of the call via a wireless network, and then storing that data in a contact database in the mobile device in association with the telephone number. For example, in response to an outgoing voice call, a mobile phone may automatically obtain, via the network, contact information (e.g., the name and address) of the person/entity being called and then store that contact information in a contact database in the mobile phone. Or, in response to an incoming call, the name and address of the caller can be automatically obtained via the network and stored in the contact database of the mobile phone. As another example, in response to an incoming voice call, a mobile phone may automatically obtain, via the data connection, a ring tone associated with the caller and then store that ring tone in the contact database in the mobile phone. Of course, the claimed invention is not limited to these specific examples.

10

Referring now to the claims, claim 1 as amended recites:

1. (Currently amended) A method of automatically populating a contact database in a mobile communication device configured to communicate voice and data over a wireless network, the method comprising, **in response to a call event representing a voice call involving the mobile communication device:**
receiving a telephone number associated with the voice call involving the mobile communication device; and
when a data connection is established between the mobile communication device and a remote processing system via the wireless network, then **automatically**
obtaining data associated with the telephone number via the wireless network, and
storing the data in the contact database in association with the telephone number.
(Emphasis added.)

Armanto does not disclose or even suggest such a method. Armanto discloses a

technique for downloading ring tones to a mobile station (MS), such as a mobile

telephone, over the air. Armanto discloses that this can be done by embedding ring

tone data within a short message (e.g., an SMS message). Col. 4, lines 6-7. Armanto

further discloses that downloading of a ring tone to a mobile station MS can be initiated

from a PC via the Internet. Col. 6, lines 12-27.

However, Armanto does not disclose or suggest the claimed invention. Note that

all of the recited steps in claim 1 (as amended) are performed in response to a call

event representing a voice call involving the mobile communication device. Armanto

does not disclose or suggests that, in response to a call event representing a voice call

involving the mobile communication device, when a data connection is established

between the mobile communication device and a remote processing system via the

wireless network, data associated with a telephone number associated with the voice

11

call is automatically obtained via the wireless network and stored the data in the contact database in association with the telephone number.

Of course, mobile stations MS in Armanto can initiate or receive voice calls, and there are telephone numbers associated with those voice calls. However, there is no suggestion in Armanto that an MS can react to a voice call by automatically obtaining data associated with the telephone number via the wireless network. To the contrary, the downloading of ring tones in Armanto is done using SMS messages, which are not in response to any voice calls. Although an SMS message is addressed using a telephone number, an SMS message as used in Armanto is not in reaction to a voice call. In fact, Armanto teaches away by teaching that an (alleged) advantage of using SMS messages to download ring tones is that the downloading of ring tones can be independent of any voice calls, to avoid voice calls interfering with the downloading of ring tones. Col. 4, lines 7-10.

Thus, there is no disclosure or suggestion of the invention recited in claim 1 in the cited art. Independent claims 16 and 25 contain limitations similar to those discussed above and are, therefore, patentable over the cited art for similar reasons.

Dependent Claims

In view of the above remarks, a specific discussion of the dependent claims is considered to be unnecessary. Therefore, Applicants' silence regarding any dependent claim is not to be interpreted as agreement with, or acquiescence to, the rejection of such claim or as waiving any argument regarding that claim.
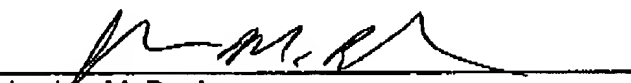
Conclusion

For the foregoing reasons, the present application is believed to be in condition for allowance, and such action is earnestly requested.

If any additional fee is required, please charge Deposit Account No. 02-2666.

Respectfully submitted,
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Dated: 12/1/04   _____

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13